

1-1 By: Burnam (Senate Sponsor - Garcia) H.B. No. 3739
1-2 (In the Senate - Received from the House May 6, 2013;
1-3 May 13, 2013, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 17, 2013, reported favorably, as
1-5 amended, by the following vote: Yeas 5, Nays 0; May 17, 2013, sent
1-6 to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Hinojosa	X			
1-10	Nichols	X			
1-11	Garcia	X			
1-12	Paxton	X			
1-13	Taylor	X			

1-14 COMMITTEE AMENDMENT NO. 1 By: Garcia

1-15 Amend H.B. No. 3739 (House engrossed version) to add
1-16 "However, the employee is still expected to fulfill all the duties
1-17 and responsibilities associated with their municipal employment."
1-18 after "office." on page 1, line 16.

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the continued employment of municipal employees who
1-22 become candidates for public office.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 150, Local Government Code, is amended
1-25 by adding Subchapter C to read as follows:

1-26 SUBCHAPTER C. EMPLOYEES AS CANDIDATES FOR OFFICE

1-27 Sec. 150.041. PROHIBITED MUNICIPAL ACTIONS. (a) In this
1-28 section, "candidate" has the meaning assigned by Section
1-29 251.001(1), Election Code.

1-30 (b) A municipality may not prohibit a municipal employee
1-31 from becoming a candidate for public office.

1-32 (c) A municipality may not take disciplinary action against
1-33 a municipal employee, including terminating the employment of the
1-34 employee, because the employee becomes a candidate for public
1-35 office.

1-36 SECTION 2. This Act takes effect immediately if it receives
1-37 a vote of two-thirds of all the members elected to each house, as
1-38 provided by Section 39, Article III, Texas Constitution. If this
1-39 Act does not receive the vote necessary for immediate effect, this
1-40 Act takes effect September 1, 2013.

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